

Mining Law Requirements on Federal lands

Locating and Recording a Mining Claim/Site

New Location Notices/Certificates must be filed with the BLM Nevada State Office, 1340 Financial Blvd., Reno, Nevada 89520, within 90 days from the date of location. You must also record the new location notices/certificates with the County Recorder within 90 days from the date of location. Location Notices/Certificates must include township, range, section, and quarter section in which the claim is located, location date, type of location, claim name, and claimant(s) name and address. Also, submit a map showing the boundary of the claim within a section.

A \$135 Per Claim/Site Fee (as of 12/8/2004) is required at the time of recordation with BLM. This fee covers--\$10 service charge, \$25 location fee, and the \$100 maintenance fee for the assessment year in which the claim/site is located. If the maintenance and location fees **are not** submitted in full at the time of filing, the location notice/certificate will be returned without further action.

If the location notice/certificate is not received or postmarked within the 90-day filing period, the new location will be declared abandoned and void by operation of law.

Location Date: Date discovery monument is erected and location notice is posted on the ground.

Assessment Year: Begins at 12 noon September 1 through 12 noon September 1.

If a claim/site is located **before** September 1 and **filed** with BLM on or after September 1, you must pay \$135 (\$10 service charge, \$25 location fee, and the \$100 maintenance fee for assessment year claim is located) plus an additional \$100 maintenance fee for the current assessment year. If you qualify, you may submit a Maintenance Fee Waiver Certification (Form 3830-2) rather than pay the \$100 maintenance fee for the current assessment year.

See regulations (43 CFR 3838) for locating claims on private land patented under the Stock Raising Homestead Act, or if disposal of the minerals is authorized under this Act. A Notice of Intent to Locate must be filed prior to locating a claim. BLM service charge is \$25.

MAINTAINING CLAIMS AND SITES

A \$100 Maintenance Fee or a Maintenance Fee Waiver Certification must be filed annually on or before September 1 for the upcoming assessment year.

Claimants Who File the Maintenance Fees Must: Include a document listing the claim/site names and BLM serial numbers for which the fees are being paid. The maintenance fee is in lieu of performance of assessment work.

Claimants Who File the Maintenance Fee Waiver (Small Miner's Exemption – Form 3830-2) Must:

1. No change to file a Small Miner's Exemption.
2. Complete the assessment work for the current assessment year prior to September 1.
3. Have an interest in 10 or less claims/sites in the U.S. on September 1 (all owners).
4. File a relinquishment or transfer ownership on or before September 1, for those claims that are over the 10-claim limit.
5. Include the name, address, and original signature of all owners on the waiver.
6. List claim names and serial numbers that you wish to maintain on the waiver.
7. On or before December 30, file a Proof of Labor or Affidavit of Assessment Work with the BLM Idaho State Office. BLM service charge is \$5 per claim/site.

Proof of Labor/Affidavit of Assessment Work, Notice of Intent to Hold –

1. Complete the assessment work for the current assessment year prior to September 1.
2. List claim names and serial numbers on the Proof of Labor/Affidavit of Assessment Work, or Notice of Intent to Hold.
3. On or before December 30, file a Proof of Labor/Affidavit of Assessment Work or Notice of Intent to Hold with the BLM Nevada State Office. BLM service charge is \$5 per claim/site.
4. On or before November 1, file a Proof of Labor/Affidavit of Assessment Work or Notice of Intent to Hold with the county recorder.

Change of Address -- List claim names and BLM serial numbers. Note address change on annual filing.

Amended Notice -- If a correction is required on the original location notice, an amended notice should be filed with the BLM and the County Recorder. BLM service charge is \$5 per claim/site. There is no charge for amended maps.

Transfer of Interest (Notarized) -- If there is a change of name/ownership, the transfer document must include the name and address of the Transferor and Transferee. The transfer document must also include the claim names and BLM serial numbers and should be filed with BLM and the County Recorder. BLM service charge is \$5 per claim/site per transferee (person receiving the interest in the claim/site).

Relinquishment of claims -- List claim names and BLM serial numbers. No BLM service charge.

FILING REQUIREMENTS ARE SUBJECT TO CHANGE

As an owner of mining claims, YOU ARE RESPONSIBLE for keeping yourself informed of the changes in the filing requirements and the mining laws. Congress may pass legislation affecting filing requirements and, consequently, the procedure may change. It is suggested that you contact our office periodically to stay up to date. You may write us at the address above or call our Information Access Center at (916) 978--4400. You may also obtain from the Information Access Center guidance on locating a mining claim, additional forms, pamphlets, etc.

At this time, courtesy copies of these documents are provided to you at no charge.